

REMARKS

Claims 34, 35 and 38-62 are presented for consideration upon entry of the instant amendment. Claims 1-33 are previously, and claims 36 and 37 presently canceled.

Claims 34, 35 and 56 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,449,486 to Rao ("Rao") in view of U.S. Patent No. 6,580,914 to Smith ("Smith") in view of U.S. Patent No. 6,434,364 to O'Riordain ("O'Riordain").

Independent claim 34 recites, in part, a mobile phone that includes first computation means for computing a current position of the mobile phone based on the signal received from the satellite-based positioning system, and a first storage means for storing positions computed by the first computation means as first position values.

Applicants respectfully submit that Rao provides a mobile unit with a GPS receiver that is designed to receive RF signals from a GPS network and to extract information from the signals to compute current location, as noted in col. 3, lines 16-21. However, there is no disclosure in Rao that storage is provided for storing the location information extracted from the GPS signal as first position values.

Also, claim 34 further comprises second computation means for computing the current position of the mobile phone based on the strength value and the identification code detected by the detection means and second storage means for storing the positions computed by the second computation means as second position values

Rao discloses that beacons are made available to the mobile units so that the mobile units are aware of the availability of the network and can carry out certain predefined measurements, such as, for example, signal strength (col. 4, lines 33-44). Rao further discloses that a second position estimate can be obtained by performing

sophisticated calculations on the signal parameters exchanged between the mobile unit and the cellular network. However, Rao does not disclose that the signal strength is directly used to compute the current position of the mobile unit. Further, the Rao mobile unit captures as many beacon signals as possible and extracts at least the network and cell identity values for each beacon signal (col. 5, lines 12-22). Rao does not disclose storing second position values computed by the second computation means in a second storage means.

Therefore, Rao also fails to disclose that a position message is compiled, which comprises a plurality of most current position values computed by each of the first and second computation means. Further, Rao does not disclose the storage means that store the first position values and the second position values that are essential.

Claim 34 further recites motion calculation means for calculating a direction and a velocity of the mobile phone based on at least two first position values and two second position values. A motion message can be compiled, and sent together with the position message. Still further, claim 34 recites an emergency button so that the position message and the motion message are sent automatically to the service center, if the button is operated.

Rao clearly fails to disclose these features.

U.S. Patent No. 6,351,642 to Corbett et al. ("Corbett") has been cited in other rejections of claims 36 and 37 for features thereof now in amended claim 34. Corbett provides that the system can calculate the mobile station velocity based on a current location and one or more previous mobile station locations, see col. 4, line 63 to col. 5, line 4. However, Corbett clearly fails to disclose that the motion calculation is based on two different position values, namely the first position values and second position values that are computed by the first and second computation means, respectively. As also noted in col. 8, lines 56-61, Corbett only discloses that the mobile station transmits a message that includes all measured pilot signal values and bias values added for the

appropriate cells, but does not disclose sending a message that includes first position values, second position values, direction and velocity of the mobile station. Further, Corbett fails to disclose the claimed emergency button.

Griffin discloses a panic relief button. Once the button is activated, the operating system is programmed to self-dial a 911 call center after which a programmed message will identify the mobile communication device based on the identification code, location and phone number, as noted in paragraphs 0010 to 0015. Griffin does not disclose that a message comprising first position values, second position values, direction and velocity that can automatically be transferred upon operation of the panic relief button.

Clearly, in view of the above, claim 34 is patentable over the cited combination of Rao, Smith and O'Riordain. Thus, reconsideration and withdrawal of this rejection of claim 34 are respectfully requested.

Claims 35 and 56 depend from claim 34. Therefore, claims 35 and 56 are patentable over the same cited combination for at least the reasons set forth above. Reconsideration and withdrawal of this 103 rejection are also respectfully requested.

Dependent claims 36-39 stand rejected under Section 103 over Rao in view of Smith, and in view of O'Riordian, and further in view of Corbett. Claims 36 and 37 have been cancelled and a significant portion of each have been incorporated in claim 34 and discussed above. Claims 38 and 39 have now been amended to depend from claim 34. For at least the reasons set forth above, claims 38 and 39 are patentable over the cited combination. Therefore, reconsideration and withdrawal of this 103 rejection are also respectfully requested.

Claims 40-45 are also rejected under section 103 based on Rao in view of Smith, and in view of O'Riordian, and further in view of U.S. Patent Application to Squibbs ("Squibbs").

Claims 40-45 depend indirectly from claim 34. Rao, Smith and O'Riordian have been discussed above including the several reasons why that combination fails to disclose claim 34. Squibbs has been cited for an authorization code that ensures that information is provided based on position or location. However, Squibbs fails to disclose the other features of claim 34 recited above that are absent in the cited combination of Rao, Smith and O'Riordian. Thus, the cited combination of the four citations, namely Rao, Smith, O'Riordian and Squibb, fails to disclose claim 34 and thus claims 40-45 that depend therefrom. Therefore, reconsideration and withdrawal of this 103 rejection of claim 40-45 are also respectfully requested.

Claims 46-53 are also rejected under section 103 based on Rao in view of Smith, in view of O'Riordian, in view of Squibbs, and further in view of U.S. Patent Application to Griffin, JR. et al. ("Griffin").

Claims 46-53 depend directly or indirectly from claim 34. The combination of the four citations, namely Rao, Smith, O'Riordian and Squibb, have been discussed above. The fifth citation in this cited combination, Griffin, discloses an emergency button and has been discussed above with respect to the rejection of claim 34 since the emergency button is now included in claim 34. Clearly, for at least the reasons set forth above with respect to claim 34, claims 46-53 are patentable over the cited combination of the five citations. Thus, reconsideration and withdrawal of this 103 rejection of claim 46-53 are also respectfully requested.

Claim 54 is also rejected under section 103 based on Rao in view of Smith, in view of Squibbs, in view of Griffin, and further in view of U.S. Patent to Schulze ("Schulze").

Claim 54 depends indirectly from claim 34. Claim 54 recites that the alarm mode performing means can allow a termination of the alarm mode only on receipt of a reset message by the communication means via the telephone communication network, and that the reset message comprises a reset authorization code.

The Action acknowledges that Rao, Smith, O'Riordian, Squibbs, and Griffin fail to disclose the alarm mode performing means and the reset message of claim 54. Schulze has been cited to disclose these features. Applicants respectfully disagree with this position. Moreover, Schulze fails to overcome the deficiencies of the combination of Rao, Smith, O'Riordian, Squibbs, and Griffin to disclose claim 34. Therefore, reconsideration and withdrawal of this 103 rejection of claim 54 are also respectfully requested.

Claims 55 and 57 are also rejected under section 103 based on Rao in view of Smith, in view of O'Riordian, and further in view of U.S. Patent Application to Ausems et al. ("Ausems").

Claims 55 and 57 depend directly from claim 34. Again, the Action acknowledges that even the combination of Rao, Smith, and O'Riordian fail to disclose a microphone, an earphone speaker for handset telephone communication, and an additional speaker on a backside of the mobile phone for hands free telephone communication, wherein the microphone is used for both the handset telephone communication and the hands free telephone communication. Ausems has been cited solely to provide these features, but again fails to overcome the deficiencies of the combination of Rao, Smith, and O'Riordian to disclose claim 34. Reconsideration and withdrawal of this 103 rejection of claims 55 and 57 are, thus, respectfully requested.

Claims 58-62 are also rejected under section 103 based on Rao in view of Smith, in view of O'Riordian, in view of Squibbs, in view of Griffin, and further in view of U.S. Patent Application to Dimenstein et al. ("Dimenstein").

Claims 58 and 59 depend indirectly from claim 34. As the Action acknowledges, the combination of the five cited citations, namely Rao, Smith, O'Riordian, Squibbs, and Griffin, fails to disclose the features of claims 58 and 59. Dimenstein has been cited to allegedly provide such features, however, Dimenstein clearly fails to disclose the

features of claim 34 missing in the combination of the five citations. Therefore, reconsideration and withdrawal of this 103 rejection of claims 58 and 59 are respectfully requested.

It should be noted that the citation of up to six citations to provide a 103 rejection of claims of this application, makes it difficult in a concise fashion to argue the obvious fact, namely that there is no suggest or reason in the primary citation, namely Rao to modify Rao to add features from all other citations.

Independent claim 60 recites a docking station for a mobile phone comprising: holding means for mechanically holding the mobile phone in a stable position; contact means to provide electrical contact between the docking station and the mobile phone; power supply means to load a battery of the mobile phone via said contact means; and ID storing means to store an individual identification code of the docking station. The individual identification code of the docking station is provided to the mobile phone via said contact means. As pointed out in the last response independent claim 60 significantly recites "ID storing means to store an individual identification code of the docking station."


The Office Action, while citing Rao, Smith, O'Riordian, Squibbs, and Griffin, along with Dimenstein, only relies on Dimenstein. The Action appears to clearly acknowledge that Dimenstein does not disclose that the identification is stored in the docking station or that Dimenstein has a memory for storing the ID that is a significant feature of claim 60. Thus, the Action admits that the cited combination of six citations still fails to disclose two features of claim 60 but urges that it would be obvious for one skilled in the art to provide these missing features. Applicants respectfully submit that there is no suggestion in the cited combination to modify Rao, as would be required to have this combination function as a viable rejection, to derive this combination. Also, as admitted in the Action, the cited combination still fails to disclose features of claim 60. Clearly, claim 60 is patentable over the cited combination of the six citations. Reconsideration and withdrawal of the section 103 rejection of claim 60 are respectfully requested.

Claims 61 and 62 depend from claim 60. For at least the reasons discussed above with respect to claim 60, claims 61 and 62 are clearly patentable over the cited combination. Therefore, reconsideration and withdrawal of this rejection are also respectfully urged.

In view of the above, Applicants respectfully request favorable consideration and that this application be passed to allowance. If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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Charles N.J. Ruggiero, Esq.
Registration No. 28,468
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401